



**SENATOR THE HON AMANDA STOKER**  
**Assistant Minister to the Attorney-General**  
**Assistant Minister for Industrial Relations**  
**Assistant Minister for Women**  
**LNP Senator for Queensland**

---

**TRANSCRIPT – Australia Today with Steve Price**

Thursday 7 October 2021

Subjects: The NSW Independent Anti-Corruption Commission and the Coalition's proposal for a Commonwealth Integrity Commission

E&OE

**STEVE PRICE:** I lived in NSW through the dismissal Premier Barry O'Farrell, over his forgetfulness over a bottle of Grange Hermitage red wine. I also witnessed what happened to Mike Gallacher, who was a well-regarded police minister in a NSW Coalition Government. And yesterday on the program I spoke with Andrew Cornwell, who was a Liberal Member of Parliament who was named before ICAC, actually lost his job – lost his position as a politician – he's now back working as a veterinarian, but he has made the point to me that once your reputation is trashed like that, and you're named, there's no way of coming back. The debate about ICAC, and whether it works properly in NSW, has taken off since Gladys Berejiklian, last Friday, shocked everybody by announcing that, because she had been named as a person that would be inquired about, she would be stepping away from the job of Premier, resigning her seat in Parliament, and leaving her job, which she so much treasured. Her teary farewell was very emotional for a lot of people.

Amanda Stoker is the Queensland Senator and Assistant Attorney General, who has been charged with coming up with a system that would look at corruption in the Federal Parliament. She joins us on the line.

Senator, nice to talk to you again.

**AMANDA STOKER:** Morning. How are you?

**STEVE PRICE:** I'm okay. Do you think ICAC works in Sydney?

**AMANDA STOKER:** No, I don't. And I think if we want to have a process in place at a federal level, for making sure that we are systemically stamping out corruption, then we need to make sure we learn the lessons from the NSW ICAC. Because when you have an ICAC body like in NSW, that is itself capable of abuses of power that that border on corruption – like the execution of unauthorised warrants, which it has done; like investigating conduct not meeting the definition of corrupt, which the High Court has had to pull it up for doing; and where you have people who are otherwise very

good public servants doing a good job, like Mike Gallagher, forced to resign at the height of his career, because of an accusation never grounded in evidence; if you have premiers being torn down by what seems like a, alright not good, but also shouldn't be career ending failure to disclose one bottle of wine. And the list goes a lot longer than these names that I've mentioned.

There's a problem here, and no one's asking, in, you know, the enthusiasm for making sure that we hold politicians to account – which of course we should – no one's asking the question, who's going to hold these people to account? Because once we develop an army of lawyers with star-chamber kind of powers of inquisition, and we resource them well, we give them enormous scope to probe into the private and public lives of people, who's going to make sure that they too don't become excessive in the way that they operate? And NSW is the example of how that can happen.

**STEVE PRICE:** Yeah, I must say I agree with you. And you know, people are silly if they don't learn from mistakes that other people have made. I mean, I've been around long enough to list off- you know, I could list dozens of former federal politicians who've been stood aside, lost ministerial positions, been run out of Parliament because they've been doing the wrong thing – all of those things have happened without a national corruption body.

**AMANDA STOKER:** That's absolutely right.

**STEVE PRICE:** I guess the point I'm making is, there are a whole of organisations that keep an eye on corruption federally already, are there not?

**AMANDA STOKER:** There absolutely are. We've got about 12 agencies at the Commonwealth level that are all about ensuring transparency and integrity in the way the Commonwealth Government goes about what it does. It's also worth noticing, too, that there are really strict tender and procurement rules at the Commonwealth level that mean politicians don't actually have their fingers on the dollars, it's the departments that do. And the very fact that when there has been misbehaviour by federal politicians in the past, and that has been exposed, and it has been revealed, and it has been the subject of – at the very least – political accountability, it tells us something about the fact that the system is generally functioning pretty well.

We need to make sure that in what is a fairly political and fairly confected concern about all the terrible things that federal politicians are supposedly doing, we don't implement a solution that is actually worse than the problem. Now we need to make sure there is no corruption – absolutely. And when politicians do the wrong thing, they should absolutely be held to account, both in a political and, if appropriate, criminal sense. But we don't want to put into place structures that are able to be abused in ways that undermine our democracy.

And I'll give you an example: One of the things that Labor and many of the academics really hate about the draft Exposure Bill that's before the Parliament – well, before everybody for exposure at the moment – is that it makes it a crime to maliciously, deliberately, without really believing there is a corruption problem, make a referral of an allegation to the Federal Commonwealth Integrity Commission.

That's because you don't want it to be abused, right? You don't want it to be the subject of complaints where someone who missed out on a contract decides to slur the one that did win a contract, to make sure that they can tar them with the corruption brush, and find that they get the windfall gain themselves. You don't want to find that a political opponent is able to smear a political rival – inside or outside of their own party – for personal advantage and not have consequences for abusing the system in this way.

If we look at the current system-

**STEVE PRICE:** I know-

**AMANDA STOKER:** Mark Dreyfus has made ten referrals-

**STEVE PRICE:** Sorry, go on.

**AMANDA STOKER:** Sorry, I didn't mean to speak over you Steve.

**STEVE PRICE:** No, it's fine.

**AMANDA STOKER:** Mark Dreyfus has made more than ten referrals to the AFP alleging corruption against people in the Parliament. Every single one has been thrown out as baseless. It gives you an indication of how body like this is capable of abuse by those who don't actually care very much about whether or not what they're doing is grounded in truth.

**STEVE PRICE:** Well, we should remind everyone, of course, that Mr Dreyfus is a lawyer and his whole make up is that of- he comes at everything from a legal point of view. I do note that he said yesterday that there should be possible legislative protections for innocent witnesses hauled before any Federal anti-corruption commission, it could include commissioners giving statements in hearings, making it clear the witness faces no accusations, or commissioners making statements exonerating the witness if they are falsely accused of corruption.

I mean, he doesn't get the real world. If your name's out there, splattered on the wall, it's the first utterance of your name that everybody remembers and your reputation gets shredded at that moment. You can have every commissioner in the world standing up, Senator, saying, oh we got it wrong, it wasn't really him or her. That doesn't work that way.

**AMANDA STOKER:** I completely agree. And the very fact, for instance, in NSW that you have the Independent Commission Against Corruption; the very name of the body that the person has to go and give evidence to, usually under compulsion, says something that you can't wipe away with a simple explanation from a judge-like person down the track. People don't notice that, but they do notice the headlines at the outset that do permanent damage for which there is no real and practical redress.

**STEVE PRICE:** Where are you at with- you say this is now before all the Houses of Parliament, all the MPs and the Members, will a bill be actually, in the next parliamentary sitting, be voted upon? Have you settled on your final position on this?

**AMANDA STOKER:** I don't think it'll be voted on in the next parliamentary week. The bill that we have put forward for exposure has been the subject of a lot of consultation and so the product of that consultation has been worked in to the last bill to make sure that we're really learning all of those lessons from across the country and the state based corruption bodies. We are committed to doing it, but we want to get it right. And everybody else who might, sort of, throw stones from the sidelines, just because they want a scalp right now, needs to take a breath. Because institutions like this need to be right, because once they're in they almost can't be fixed. Because anyone who changes them is accused of being soft on corruption. So I'm not going to sign off on something that's potentially harmful one moment before it's ready to go. That said, it's our intention to introduce something before the end of the year.

**STEVE PRICE:** We won't comment on what might come out of any investigation into anybody connected with Gladys Berejiklian, but we've seen the loss – and I know Peta Credlin wrote about

this this morning in *The Australian* – we've seen loss of somebody who was highly regarded as the NSW premier. In fact, there was some public connection with Gladys Berejiklian that almost- people felt a connection to her emotionally. We've seen those scenes outside her office. Did she really need, did you think, to step aside and walk away from Parliament completely because her name had been mentioned? I mean, did she, because she said any minister in her Government would have to stand aside if known by ICAC? Is that the mistake that she made?

**AMANDA STOKER:** Look, it's hard for me to put myself in her shoes in circumstances where she's trying to be an even handed and fair leader of a team internally, as well as complying with the law, as well as complying with the standards that the public would expect of someone like her. It's a testament to her integrity, really, that she's been prepared to do this. But, you know, it is the people of NSW, and in the broader sense of people of Australia, who are the poorer when somebody who is doing a good job in difficult circumstances, is trusted and respected by the electorate, is taken down at her prime because of these types of situations. Now, if she's done the wrong thing, she should be held accountable. Nobody doubts that. But if you compare that to the Victorian situation, where these things are dealt with privately until you've got a solid evidence base, I think the Victorian way of doing it, where we don't take away legitimately elected people who are getting on with the job before there is, in a sense, a strong body of evidence showing they've done the wrong thing – you know, the Victorian model has a lot to commend it as compared to the NSW model.

**STEVE PRICE:** The Victorian Opposition, who would like to see Daniel Andrews walk away and quit as Premier, might not agree with you. But you're right, it is a fairer system. Thank you very much for giving us some time today. I appreciate it a lot.

**AMANDA STOKER:** Thanks very much. Great to join you.

**STEVE PRICE:** Amanda Stoker there. LNP Senator for Queensland. She's also, of course, the Assistant Attorney-General.

[END]

**Media Contacts:**

Valeria Cheglov – 0438 494 351

Patrick Hannaford – 0424 625 518

**Authorised by Senator The Hon Amanda Stoker, Liberal National Party, Queensland**